

Record of Officer's Decision

The Openness of Local Government Bodies Regulations 2014 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Date of Decision:	12th November 2020
Decision Makers (Officer):	Deputy Chief Executive Corporate Director Place & Economy
Authority for Delegated Decision (Cabinet/Committee Decision or Scheme of Delegation – provide reference):	Part 3, Schedule 3 – Responsibility for Executive Functions delegated to Officers paragraph 4.3 (1) – the Corporate Director has delegated authority to discharge executive functions within their respective service areas (Part 3.38). All delegations are subject to consultation where considered appropriate in the circumstances (paragraph 4.3 (4(ii) – Part 3.39).
Identify which Portfolio Holder(s)/Committee Chairman consulted?	Leader of the Council
Ward Member(s) consulted?	N/A
Is it a Key Decision?	No
Is it subject to call-in?	Yes
Decision Made:	To sign the Memorandum of Understanding covering the Tendring Colchester Borders Garden Community Housing Infrastructure Fund
Reason for Decision (if a report was produced to support the Decision, refer to or attach it):	To agree the attached MOU with Essex County Council. The HIF funding will provide infrastructure funding to facilitate the delivery of a link road between the A133 & A120 and a Rapid Transit system to serve the Tendring Colchester Garden Community as part of an infrastructure first delivery model.

<p>Highlight any associated risks/finance/legal/equality considerations:</p>	<p>These are set out within the attached MOU</p>	
<p>Details of any Alternative Options Considered and rejected (together with reasons):</p>	<p>N/A</p>	
<p>Details of any declarations of interest (by Portfolio Holder/Committee Chairman who was consulted by the officer, which related to the decision)</p> <p>If relevant, a note of the dispensation granted by the Monitoring Officer:</p>	<p>N/A</p>	
<p>Reason Decision, or supporting Report, is not published:</p> <p><i>Tick one or more of the specific exemptions,</i></p> <p><u>and</u></p> <p><i>Give more information in the final box with regards to why the exemption applies and outweighs the public interest test (which is in favour of disclosure).</i></p>	<p>X</p>	<p>Not applicable – Decision [and report] to be published</p>
		<p>The report supporting the Decision contains confidential information</p>
		<p>The Report supporting the Decision falls within an exemption pursuant to Schedule 12A of the Local Government Act 1972 Information:</p>
		<ul style="list-style-type: none"> • Relates to an individual
		<ul style="list-style-type: none"> • Likely to reveal the identity of an individual
		<ul style="list-style-type: none"> • Relating to financial or business affairs of a person or organisation
		<ul style="list-style-type: none"> • Relates to a claim for legal professional privilege in legal proceedings
		<ul style="list-style-type: none"> • Reveals that the Council proposes to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or to make an order or direction under any enactment
		<ul style="list-style-type: none"> • Relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime
	<p><u>And</u> is exempt if and so long, as in all the circumstances of the case, the public interest in maintaining the</p>	

	<p>exemption outweighs the public interest in disclosing the information</p> <p>Reasons: The report contains information in relation to the financial transaction for the purchase of a number of sites and their vendor and as such releasing this information may hamper the Council's ability to negotiate on a commercial basis other sites which it may wish to purchase.</p>
--	--

Officers

Signed:

Paul Price

Title: Deputy Chief Executive

Corporate Director (Place and Economy)

Dated: 12th November 2020